

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS'
CONCUSSION INJURY LITIGATION

No. 12-md-2323 (AB)

MDL No. 2323

THIS DOCUMENT RELATES TO:

COREY BARLOW, PLAINTIFF

Case No. 2:13-cv-05309-AB

PETITION TO ESTABLISH ATTORNEYS' LIEN

NOW COMES Petitioner, Wendy R. Fleishman, Esquire, for Lieff Cabraser Heimann & Bernstein, LLP ("LCHB") pursuant to an executed retained agreement, and states:

1. Petitioner is an attorney at law admitted to practice before the Courts of the Commonwealth of Pennsylvania and the federal court in the Eastern District of Pennsylvania; and respectfully submits this Petition to establish a lien for attorneys' fees and expenses as explained below.

2. Petitioner was retained by the Plaintiff, Corey Barlow (the "Client" or the "Plaintiff"), pursuant to a contingent fee agreement, to pursue a claim for injuries and damages against the National Football League (the "NFL"), and any other entities who are or may be legally liable or responsible, in whole or in part, for injuries incurred by the Plaintiff as a result of head injuries and concussions sustained while playing professional football in the NFL.

3. When Petitioner entered into contract with the Plaintiff, Petitioner entered into the risk and expense of the litigation before any settlement discussions had been held.

4. On December 12, 2016, after the Petitioner concluded the work outlined in ¶ 5, and after arranging both neurological and neuropsychological testing for Mr. Barlow and

arranging for transportation and accommodations, Petitioner received an email from Mr. Barlow, that Plaintiff is represented by a different lawyer in this matter.

5. The Petitioner was not terminated by the Plaintiff for cause nor due to any malfeasance or other improper action on the part of the Petitioner.

WHEREFORE, the Petitioner prays:

1. An attorneys' lien be determined based upon the time for professional fees incurred and reimbursement of expenses advanced on behalf of Plaintiff in the amount of \$5,705.41;
2. The lodestar for work performed is \$1,444.00;
3. The expenses advanced on behalf of Plaintiff are \$3,944.60;
4. Miscellaneous expenses including facsimile, copying, printing, telephone, experts, Federal Express and medical records in the amount of \$316.81. The cost breakdown is attached as Exhibit A;
5. The Court order that Petitioner be entitled to enforce an attorneys' lien against the proceeds to be derived from any settlement or judgment in this action;
6. The Claims Administrator be prohibited from paying to the Plaintiff any sums of money until this attorneys' lien has been satisfied; and
7. For such other further relief as this Court deems just and proper.

Dated: February 26, 2019

Respectfully submitted,

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By: /s/ Wendy R. Fleishman

Wendy R. Fleishman (WF3017)

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

250 Hudson Street, 8th Floor

New York, NY 10013-1413

Telephone: (212) 355-9500

Facsimile: (212) 355-9592

wfleishman@lchb.com

CERTIFICATE OF SERVICE

I CERTIFY that the above has been filed with the Clerk of Court's EF/ECM system, which will provide service to all parties designated to receive service this February 4, 2019.

/s/ Wendy R. Fleishman

Wendy R. Fleishman
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
Telephone: (212) 355-9500
Facsimile: (212) 355-9592

EXHIBIT A

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

Report created on 11/07/2018 10:26:01 AM

Current = 11/01/18 To 11/07/18
Matter-to-Date = Inception To Present

NFL HEAD INJURY - BARLOW, COREY AND TIA

Matter Number: 3554-0117

Soft Costs Incurred

	<u>Current</u>	<u>Matter-to-Date</u>
Fax	\$0.00	\$3.00
In-House Copies	\$0.00	\$10.00
Postage	\$0.00	\$0.92
Print	\$0.00	\$11.40
Telephone	\$0.00	\$49.19
Total Soft Costs:	\$0.00	\$74.51

Hard Costs Incurred

	<u>Current</u>	<u>Matter-to-Date</u>
Experts/Consultants	\$0.00	\$3,944.60
Federal Express/Messenger	\$0.00	\$163.56
Medical Records	\$0.00	\$78.74
Total Hard Costs:	\$0.00	\$4,186.90
Total Matter Costs:	\$0.00	\$4,261.41
Total Cost Receipts:	\$0.00	\$0.00
Net Costs:	\$0.00	\$4,261.41